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7 BANK OF AMERICA, NATIONAL
ASSOCIATION and PRLAP, INC.
8

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 RUSSELL DON HOLTZ,

13 Plaintiff,

14 vs.

15 BANK OF AMERICA, NATIONAL
ASSOCIATION, a national banking
16 association; CAL-WESTERN
RECONVEYANCE CORPORATION, a
17 California corporation; PRLAP, INC., a North
Carolina corporation; and DOES I through 20,
18 inclusive,

19 Defendants.
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Case No.: 5:08-cv-02166-RS

**[PROPOSED] ORDER GRANTING
BANK OF AMERICA AND PRLAP'S
MOTION TO DISMISS**

Accompanying Documents: Notice of
Motion; Motion to Dismiss; Memorandum
of Points and Authorities

Date: August 6, 2008
Time: 9:30 a.m.
Courtroom: 4, 5th Floor
Judge: M.J. Richard Seeborg

Complaint Date: April 25, 2008

1 The Motion of Defendants Bank of America, National Association (“BofA”) and PRLAP,
2 Inc. for an order dismissing Plaintiff’s Complaint has been duly noticed and served on all
3 interested parties, and came on regularly for hearing before this Court.

4 All arguments, papers and evidence considered and good cause appearing, the Court
5 hereby orders that:

6 1. BofA and PRLAP’s 12(b)(6) Motion to Dismiss is GRANTED WITHOUT
7 LEAVE TO AMEND.

8 IT IS SO ORDERED.

9
10 DATED: _____

JUDGE OF THE UNITED STATES
DISTRICT COURT